

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TARGET CORP., *et al.*, :

Plaintiffs :

- against - :

VISA, INC., *et al.*, :

Defendants. :

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7-ELEVEN, INC., *et al.* :

Plaintiffs, :

- against - :

VISA INC., *et al.*, :

Defendants. :

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ALVIN K. HELLERSTEIN, U.S.D.J.:

**ORDER REGULATING
PROCEEDINGS**

13 Civ. 3477 (AKH)

13 Civ. 4442 (AKH)

A status conference was held on June 5, 2025 to discuss issues relating to experts, severance, and scheduling of trial.

1. In my Order Regulating Proceedings of August 8, 2024, ECF No. 140, I ordered a joint trial of both sets of cases, and identified six plaintiffs for trial. (One plaintiff since has settled.) Defendants' motion provides no sufficient reason why this should change. Thus, I deny Defendants' motion for severance. A severance will cause needless duplication, repetition, and expenditure of resources.

2. At the status conference, Plaintiffs represented their intent to proffer expert testimony from Parag Pathak, Reto Kohler, Preston McAfee, Craig Romaine, Ketan Patel (damages only), and William Kennedy (damages only). Defendants represented their intent to proffer expert testimony from Marc Cleven, Robert Daines, Kenneth Elzinga, Stuart Fiske, R.

Garrison Harvey (damages only), Glen Hubbard, Barbara Kahn, David Kaplan, Andres Lerner, Justin McCrary, Kevin Murphy, Thad Peterson, and David Teece. At trial, the parties may not call any other expert witnesses, unless good cause is shown.

3. Citibank, Bank of America, J.P. Morgan Chase, and Wells Fargo (collectively, the “Bank Defendants”) may depose Plaintiffs’ expert witnesses whom the Bank Defendants did not previously depose, provided that these depositions shall be completed by July 31, 2025.

4. Trial will begin, as scheduled, October 20, 2025 at 10:00 a.m., and the final pretrial conference will be held September 15, 2025 at 10:00 a.m. However, if the May 2025 trial scheduled in *Grubhub Holdings, Inc. v. Visa, Inc.*, 19 Civ. 7273 (N.D. Ill.) is adjourned, trial in this case will commence on April 20, 2026 at 10:00 a.m., and the final pretrial conference will be held on March 25, 2026 at 10:30 a.m.

The Clerk of Court shall terminate the open motion, ECF No. 232 of 13 Civ. 3477.

SO ORDERED.

Dated: June 6, 2025
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge